



EDUCATING HOMELESS CHILDREN AND YOUTH: DISPUTE RESOLUTION GUIDELINES

OVERVIEW: This document addresses the requirements of 42 USC § 11432(g)(1)(C) for resolving disputes applicable to enrollment or school placement for homeless children as covered by the McKinney-Vento Act. As required by 42 USC § 11432(g)(1)(C), schools must develop and implement written procedures for the receipt and resolution of complaints alleging violations of law with regards to enrollment and school placement as covered by the McKinney-Vento Act. A request for appeal or resolution of an enrollment or placement dispute should not be filed with the Office of the State Superintendent of Education (OSSE) until every effort has been made to resolve the issue through local written enrollment and school placement dispute resolution procedures. The State Coordinator for the Education for Homeless Children and Youth Program will provide technical assistance to interested parties as requested and as necessary.

If a dispute arises over enrollment or school placement:

- A. the child or youth must be immediately enrolled in the school requested by the individual or organization submitting the complaint;
- B. the parent or guardian of the affected student(s) must be provided a written explanation of the school's decision regarding school selection or enrollment, including the rights of the parent, guardian, or youth to appeal the decision;
- C. the child, youth, parent, or guardian must be referred to the McKinney-Vento Homeless Education Liaison for the corporation, who shall carry out the dispute resolution process as expeditiously as possible after receiving notice of the dispute; and
- D. in the case of an unaccompanied youth, the Homeless Education Liaison shall ensure that the youth is immediately enrolled in school pending resolution of the dispute.

Disputes may arise between a school and a homeless student or homeless parent/guardian regarding, among other things, enrollment or transportation. At such a time, the Homeless Education Liaison immediately becomes involved, and the associated Local Education Agency (LEA) must follow a procedure that includes these steps:

1. A student must be allowed to attend or enroll in the school that is challenging the student's right to attend until a final decision is made regarding the dispute. The challenging school must provide transportation and other school services as needed to the student until the dispute is resolved.
2. The dispute resolution process begins at the time a school challenges the right of either a parent or guardian, or in the case of an unaccompanied youth, to enroll a child or youth in school, to continue enrollment in school, or to receive services such as transportation assistance.
3. When an LEA challenges the enrollment or services of the child or unaccompanied youth, the LEA must:
 - a. Provide notice of the challenge to the parent, guardian, or unaccompanied youth, through the Homeless Education, on the day of the challenge.
 - b. Provide notice of the right to appeal the challenge to the parent, guardian, or unaccompanied youth. This notice must include a form to be completed by the parent, guardian, or unaccompanied youth should he or she decide to appeal the LEA's decision (see attachment).
 - c.
 - d. Notify the Office of the State Superintendent of Education (OSSE) of the challenge on the day of

the challenge and provide OSSE with copies of all notices given to the parent, guardian, or unaccompanied youth. These documents must be scanned and emailed to Transitory.Services@dc.gov.

4. The Homeless Education Liaison will provide the parent, guardian, or unaccompanied youth with written notice in clear, easy-to-understand language detailing the dispute resolution process.
5. An LEA will have three (3) working days to review its initial decision and make a final decision as to the position taken, i.e. whether it will continue to challenge the right of the student to be enrolled. The decision must state all factual information upon which it is based and the legal basis in support thereof.
6. Provide the parent with a copy of the [*District of Columbia Formal State Complaint Policy & Procedures*](#)¹ which is readily available at OSSE.DC.Gov.
7. If the parent indicates that an appeal will be filed and does so within two (2) business days, the LEA must continue to provide transportation (if requested) and other school services to the student until the dispute is resolved by the OSSE. The final decision of the LEA must be made in writing and must be made by the LEA superintendent or his/her designee.

State Level

1. If the dispute can't be resolved at the LEA level, and the parent, guardian, or unaccompanied youth has exercised their right to appeal, OSSE will make the final determination by completing the following:
 - a. OSSE will review the all documentation including the school level challenge, the LEA decision, and the appeal form.
 - b. Within five (5) business days, OSSE will make a determination of the appeal based upon the facts received and the McKinney-Vento Homeless Education Act, and will notify the school, LEA, parent, guardian, or unaccompanied youth in writing of the decision.
 - c. Once the determination has been submitted to all parties in writing, the school must immediately enroll, un-enroll, provide required services including transportation support, or discontinue services.

FOR MORE INFORMATION, contact transitory.services@dc.gov or call (202) 654.6123. Program staff contact information is provided below.

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202-654-6123
Jasent.Brown@dc.gov

Sheryl Hamilton
Director of Programs
202-741-6404
Sheryl.Hamilton@dc.gov

¹ <http://osse.dc.gov/publication/policy-complaint-procedures-elementary-secondary-education-act-programs-and-competitive>

(SCHOOL OR LEA LETTERHEAD)
Notification of Enrollment and/or Transportation Decision*

Date: _____

Person Completing Form: _____

Title: _____

School: _____

LEA: _____

In compliance with Section 722(g)(3)(E) of the McKinney-Vento Homeless Education Assistance Act of 2001, this written notice of denial of school enrollment and/or the transportation request is provided to:

Description	Name:
Parent/Guardian/Unaccompanied Youth/Caseworker:	
Student(s):	

After reviewing the request to enroll and/or to provide transportation for the above student(s), the school enrollment and/or transportation request is denied for the following reasons:

You have the right to appeal this decision by contacting the Office of the State Superintendent of Education's Homeless Education Program at (202) 654-6123 who will assist you in the appeal process. **Until the Superintendent of Education, the Superintendent's designee, or the Head of Schools makes a final decision regarding your appeal, the above student will be allowed to attend the school of choice and the school will provide transportation and other school services.**

You may provide either written or verbal reasons for your appeal of this decision using the attached appeal form.

School Homeless Liaison

Date

School Administrator

Date

Homeless Liaison

Date

LEA

Attachments: Appeal Form
 State Complaint Policy

DISPUTE RESOLUTION FORM

This form is to be completed by the parent/guardian or unaccompanied youth when a dispute arises over school enrollment or transportation assistance. The information may be shared verbally with the Local Education Homeless Liaison instead of completing this form. The State Homeless Liaison can be contacted at 202 654-6123.

Date submitted: _____

Student(s): _____

Person completing form: _____

Relation to student(s): _____

I may be contacted at (phone or e-mail): _____

I wish to appeal the enrollment decision made by: _____

School: _____

I have been provided with a written explanation of the school's decision (check one):
_____ Yes _____ No

You may include a written explanation to support your appeal in this space, or you may provide your explanation verbally.

Signature of person submitting dispute: _____

Return completed Form to school or Homeless Education Program office.

-----For School Use-----

1. Send a copy of this completed form to the State Homeless/Transitory Services Office at Transitory.Services@dc.gov or by calling (202) 654-6123.
2. **Give a copy to the parent/guardian or unaccompanied youth.**
3. Maintain the original at school
4. Date received by LEA or School Homeless Liaison: _____